

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0710-01
Bill No.: HB 212 with HCA 1 and HCA 2
Subject: County Government, County Officials, Elections
Type: Original
Date: February 12, 2015

Bill Summary: This proposal specifies procedures regarding how a vacant county commissioner position shall be filled.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
General Revenue	(Could exceed \$100,000)	(Could exceed \$100,000)	(Could exceed \$100,000)
Total Estimated Net Effect on General Revenue	(Could exceed \$100,000)	(Could exceed \$100,000)	(Could exceed \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government*	\$0	\$0	\$0

*Transfer In and Cost net to zero.

FISCAL ANALYSIS

ASSUMPTION

In response to a previous version, officials at **Boone County** assumed it is estimated that to participate in an April election, the average cost is \$97,000. If it were held during the off year cycle, it is estimated to cost \$175,000.

In response to a previous version, officials at the **Platte County Board of Election Commission** assumed the cost of an election could be up to \$60,000 depending if other entities are participating in the election.

Officials at the **Secretary of State's Office (SOS)** state when a vacancy occurs in the office of county commissioner, the vacancy is certified by the clerk of the commission to the Governor, who shall fill such vacancy with a person who resides in the district at the time the vacancy occurs. This proposal would require the Governor, if at the time the vacancy occurs there is one year or more remaining in the unexpired term, to issue a writ of election within thirty days of receiving the certification of vacancy. Due to the un-predictability of when vacancies occur and the geographical size of the vacated district, costs associated with this proposal are difficult to estimate. In previous county wide elections, where one race is on the ballot, costs have varied from \$6,058 to \$275,000 per election.

Oversight assumes that currently if a vacancy occurs in the county commissioner seat, the Governor appoints a new commissioner. This amended proposal will require the vacancy to be filled at the next regular election if a year or more remains of the commissioner's term. Any increased proportional costs to the county resulting from this requirement shall be paid by the state. Oversight assumes there are too many variables to estimate a potential fiscal impact from this proposal, including:

- how many county commissioner's positions becomes vacant in a given year;
- whether or not the county would have had a county-wide election ballot issue even without the new replacement of a commissioner; and
- the size of the county(s) - which Oversight assumes is the largest factor in the disparity in costs (between \$6,058 and \$275,000 per election per the SOS) to the state;

Because of these several unknown variables, **Oversight** will reflect a potential costs of possibly exceeding \$100,000.

In response to a previous version, officials at the **St. Louis City Board of Election Commission**, the **Office of the Governor**, the **Monroe County Clerk's Office**, and **St. Louis County Board of Election Commission** each assumed no fiscal impact to their respective organizations.

ASSUMPTION (continued)

Officials at the following boards of election commission: Kansas City Board of Election Commission, Clay County Board of Election Commission, and Jackson County Board of Election Commission did not respond to **Oversight's** request for fiscal impact.

Officials at the following counties: Andrew, Atchison, Audrain, Barry, Bollinger, Buchanan, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Dent, Franklin, Greene, Holt, Jackson, Jefferson, Johnson, Knox, Laclede, Lawrence, Lincoln, Marion, McDonald, Miller, Moniteau, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, Shelby, St. Charles, St. Louis, St. Francois, Taney, Warren, Wayne and Worth did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2016	FY 2017	FY 2018
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GENERAL REVENUE

<u>Transfer Out</u> - SOS - cost of special election(s)	(Could exceed <u>\$100,000</u>)	(Could exceed <u>\$100,000</u>)	(Could exceed <u>\$100,000</u>)
ESTIMATED NET EFFECT ON GENERAL REVENUE	(Could exceed <u>\$100,000</u>)	(Could exceed <u>\$100,000</u>)	(Could exceed <u>\$100,000</u>)

<u>FISCAL IMPACT - Local Government</u>	FY 2016	FY 2017	FY 2018
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LOCAL POLITICAL SUBDIVISIONS

<u>Transfer In</u> - General Revenue - reimbursement for special election costs	Could exceed \$100,000	Could exceed \$100,000	Could exceed \$100,000
<u>Cost</u> - special election(s)	(Could exceed <u>\$100,000</u>)	(Could exceed <u>\$100,000</u>)	(Could exceed <u>\$100,000</u>)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This bill changes the laws regarding filling a vacancy in the office of a county commissioner. If at the time the vacancy occurs there is less than one year remaining in the unexpired term, the vacancy must be filled as specified under current law with an appointment made by the Governor. If there is one year or more remaining in the unexpired term, the Governor must, within 30 days of receiving the certification of vacancy, issue a writ of election to fill the vacancy at the next available election date authorized by law.

These provisions must not apply to any charter county.

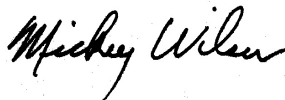
This proposal requires the state to pay any increased proportional costs to a county resulting from the requirement to hold an election under these provisions.

This proposal has an emergency clause.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

St. Louis County Board of Election Commission
Platte County Board of Election Commission
Office of the Governor
Monroe County Clerk's Office
Boone County
St. Louis City Board of Election Commission
Office of the Secretary of State



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